

USAWC STRATEGY RESEARCH PROJECT

**What Can Be Done To Improve The Relationship Between Congress And The Military Seeking The
Resources Required For War?**

by

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The views expressed in this academic research paper are those of the author and do not necessarily reflect the official policy or position of the U.S. Government, the Department of Defense, or any of its agencies.

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ABSTRACT

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The Republic is safe. There are sufficient constitutional checks in place to ensure that there cannot be a coup d'e-tat in the United States. Accordingly, this paper does not address possible societal and military conflicts or the problems that arise when a government is ruled by the military. This paper will address ways to improve a key relationship in United States political-military affairs —that between Congress and the military in providing the resources required for war.

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PREFACE

As one would expect, upon learning that I had to complete a Strategy Research Paper, I complained (a lot I might add). When I selected my topic I felt better. However, it was Dr. Richard Kohn who got me excited about my research after he consented to an interview. In fact, I was so eager that I told my Army War College seminar mates about my interview plans and they all said “Cool”. Okay so we show our young age. Moreover, after talking to Richard, I was inspired to seek out interviews and/or advice from members of Congress and their staff and from senior military and civilian leaders. I was blessed because they also agreed to support this project. Accordingly, I would like to thank General Lester Lyles, Senator Susan Collins, Senator Pete Santorum, Dr. Richard Kohn, LTC David Baldwin and most importantly Mr. James Coleman for contributing their technical expertise to this research.

Lastly, I would like to thank Professor Patricia Pond, Dr. Richard Kohn, Dr. Olenda Johnson, Dr. Martin Cook, Major General Michael Mushala, BG (Select) Joseph Agbola, LTC Leana Fox-Johnson, Mr. James Coleman, Mr. Steven Borecky, Mr. Anthony Kaiser, and Mr. Terrence Tucker who gave generously of their time to read drafts of this paper and not once did they complain. Instead, they provided me wonderful guidance and encouragement.

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WHAT CAN BE DONE TO IMPROVE THE RELATIONSHIP BETWEEN CONGRESS AND THE MILITARY SEEKING THE RESOURCES REQUIRED FOR WAR?

If we desire to secure peace, one of the most powerful instruments of our rising prosperity, it must be known that we are at all times ready for war.

? George Washington

The United States Constitution empowers Congress with the legislative authority to declare war, maintain a military, and control the federal taxing and policies that will be used to shape the nation's defense.¹ Accordingly, Congress must consider funding the resources that the warfighters believe are necessary to conduct the military mission.² The top military leadership is recognized as the most skilled in the art of warfare. Therefore, it is in the best interest of the warfighter that they ensure Congress is fully informed on what is required for military readiness.³ However, members of Congress must address many other equally important requirements of their constituents and, therefore, cannot necessarily fund all the resources identified by the military. Consequently, Congress's attention to the non-military priorities of its constituents necessarily constrain the warfighters' readiness strategy.⁴ This Strategy Research Project addresses this issue and identifies *"what can be done to improve the relationship between Congress and the military in providing the resources required for war."*

WHY DOES CONGRESS CONSTRAIN ITS FUNDING OF MILITARY REQUIREMENTS?

Control of the purse strings is one of the most critical tools Congress uses to effectively conduct its oversight responsibilities in military affairs. Accordingly, the military's relationship with Congress must often focus on convincing the legislators to provide financial support for the resources that the Services believe are necessary for military readiness in order to successfully accomplish their mission. Conversely, "the formal institutions and process through which Congress carries out its constitutional responsibilities for the defense budget have become complex over time" with Congressional committees being key to the process.⁵ Moreover, since the 1986 passage of the Department of Defense (DoD) Authorization Act, the Defense Department has been required to submit biennial budgets to assist Congress with its budgetary planning requirements.⁶ Congress enacted the DoD Authorization Act because its members believed that defense programs and activities would be more effective and efficient if they were funded on a two-year cycle rather than annually.⁷ The biennial budget concept, however, has not been well received by all Congressional committees.⁸ Consequently, rather than being the

help it was intended to be, the DoD Authorization Act has further complicated the process. The House and Senate authorization committees, for instance, “have been authorizing some of the programs for two years; while the appropriations committees have been appropriating funds yearly.”⁹ Therefore, despite the move towards a biennial budget, every year the Services and the Defense Department leadership are still confronted with the necessity of defending their budgetary requirements for weapon systems and other military resources.

No one questions that “members of Congress are committed to the goal of ensuring national security and the status of the United States as the preeminent military power.”¹⁰ The problem is that the nation’s money is finite, and so some military projects cannot be funded when the warfighter needs them. This hard reality confronts Congress each year, because it has the responsibility for understanding both current and future warfighting requirements and then deciding how to allocate and balance the increasingly scarce resources against the nation’s other competing needs.¹¹ Moreover, members of Congress are obligated to respond to the pressures of their constituents (see Figure 1) when allocating resources for any reason.¹² Members have a “responsibility to reflect the viewpoint of a majority of their constituents in their work in Washington, and if they fail to read the pulse of public opinion in their District or State accurately, a majority of the voters in that area will find someone else in the next election who does.”¹³ Congressional representatives are “elected after repeatedly advocating and explaining the basis for their opinions during their campaign for office.”¹⁴ As such, the mindset and priorities of Congressional members may differ from the military leadership.

ESCALATING MILITARY REQUIREMENTS EXACERBATE CONGRESS’S FUNDING CONSTRAINTS

Historically, the problems with military funding constraints have been exacerbated when the acquisition of a weapon system takes longer than planned or costs more than Congress was led to believe it would. This is especially true when the original cost figure was used as the basis for other Congressional budgetary decisions. For example, consider the military plans to acquire the F-22 fighter aircraft. The lack of consensus about future threats and defense requirements has led to increasing Congressional skepticism about the need for the F-22.¹⁵ Questions have been raised about the F-22 cost, whether it is actually required; and if so, what capabilities it should have; and how many aircraft are necessary to meet on-going military requirements.¹⁶ To make matters worse, these issues were raised almost immediately after the decision to acquire the F-22. It was “sold to Congress as a replacement for the F-15 fighter because United States military experts believed the Soviet Union was designing new, superior



FIGURE 1 THE MANY DEMANDS FROM CONGRESS'S CONSTITUENTS

fighter jets.”¹⁷ To counter the Soviet jets, the original plans called for the Air Force to purchase 880 F-22 aircraft at a cost of 40 billion dollars.¹⁸ However, within a few months, the price doubled to 80 billion dollars.¹⁹ Even by historical standards this cost escalation was jaw-dropping.²⁰ The rising costs prompted the Pentagon to reassess the F-22 program, which led to a decision to acquire fewer F-22 aircraft.²¹ Thus, the number of F-22’s to be procured was reduced to 680 for 64.2 billion dollars.²² The 1997 Quadrennial Defense Review cut the number to 339 aircraft.²³ Current estimates reflect 339 F-22 aircraft costing approximately 63 billion dollars, which is about 187 million dollars per aircraft compared to 33 million dollars to replace a F-15.²⁴ Moreover, as a result of the collapse of the Soviet Union, the Soviet aircraft that prompted the acquisition of the F-22, were never built.²⁵

On Sept. 17, 2002 Air Force Chief of Staff General John P. Jumper changed the designation of the F-22 Raptor to F/A-22.²⁶ "The change is meant to more accurately reflect the aircraft's multimission roles and capabilities in contemporary strategic environments."²⁷ However, it will be the escalating costs and technical problems, and not the name change that influence the outcome of the Defense Acquisition Board (DAB) scheduled in early Spring 2003. The DAB is headed by the Under Secretary of Defense for Acquisition, Technology and Logistics Pete Aldridge, who will determine whether or not the Air Force can issue a contract with the F/A-22 manufacturer Lockheed Martin, to produce twenty-two Lot 3 F/A-22s.²⁸ Although the Air Force leadership is confident the DAB will approve the acquisition, some members of Congress do not share their view. For instance, House Appropriations Defense Subcommittee Chairman Jerry Lewis, who gained notoriety in the Air Force three years ago when he zero funded the program, still has not endorsed the F/A-22 program.²⁹ Instead, he is waiting to hear the results from the on-going F/A-22 operational test efforts.³⁰ In addition, John Tierney a member of the House Appropriations Defense Subcommittee, recently issued a four-page letter outlining his "disappointment with the program's inflating cost and demanding more details on the production quantities and cost of the fighter in preparation for an April 11 hearing on the national security, emerging threats and international relations."³¹ Tierney's letter was prompted by a General Accounting Office (GAO) study released in February that recommended the Pentagon provide better documentation of the F/A-22 program to Congress.³² The GAO subsequently issued a second report in March that further suggested the Defense Department "reconsider its decision to purchase more than 16 of the costly fighters until greater knowledge on any need for modifications is established through the completion of operational testing."³³ For the F/A-22 DAB to approve the purchase of the F/A-22's, the Air Force leadership must overcome long-standing perceptions that the Service is wasting precious Congressional funds. "Tiffany's on wings. That's how one senate aide refers to the Pentagon and its contractor's latest dream weapon: the F-22. It's showy, unimaginably expensive, fragile and utterly useless."³⁴ In another instance, while speaking before the Speaker of the House, Congressman Pete Stark stated that "Congress must not yield to the whims of the Joint Chiefs and the demands of military contractors when the American people have real needs that Government can provide."³⁵ He further declared that it was the wrong time to "throw money at pork-barrel defense projects" such as the F-22 program.³⁶ Regardless of DAB outcomes and GAO findings, Congressional concerns all but guarantee its members will have substantial debates before appropriating additional funds for the F/A-22 program.

UNEXPECTED GLOBAL EVENTS INCREASE MILITARY FUNDING REQUIREMENTS

Unexpected global events can change funding requirements and make an annual military budget irrelevant. This is evidenced in the actions being considered as a result of Iraq's failure to comply with several United Nations Security Council Resolutions in particular United Nations Resolution 687. This particular resolution was adopted by the body in 1991, and required Iraq to accept unconditionally "the destruction, removal or to render harmless, under international supervision, its chemical and biological weapons, and ballistic missiles with a range greater than 150 kilometers."³⁷ Unfortunately, twelve years later the United Nations still does not have definitive knowledge of whether Iraq has the capability to develop and/or launch such weapons. As a result of (1) Iraq's persistent non-compliance with these resolutions, and (2) increasing concern that Iraq is a threat to the security of the U.S., President Bush declared that political dialogue with Iraq is concluded.³⁸ Furthermore, Bush announced that, if required, military force would be employed to ensure that Iraq complies with all of its obligatory United Nations resolutions.³⁹ Bush made it abundantly clear that, if necessary, the U.S. would act unilaterally to bring about Iraqi compliance.⁴⁰ However, the cost of conducting a war with Iraq was not included in the annual budget cycle. Consequently, it is not funded in Congressional or Defense Department budgets.⁴¹ Further complicating war with Iraq is the estimated price tag, which military experts predict will range from 100 to 200 billion dollars depending on the duration of the conflict.⁴² To address this deficiency, President Bush submitted a special supplemental funding request to Congress.⁴³ "The supplemental bill focuses specifically on covering the cost of war in Iraq, including: 63 billion dollars to fight the war; 8 billion dollars in foreign aid to countries helping with the war, humanitarian relief efforts and reconstruction; and 4 billion dollars for homeland security."⁴⁴ Despite Congressional approval of the supplemental funding request, some lawmakers believe it doesn't accurately reflect the costs of the war and its aftermath, and as such, the President will likely need additional funding.⁴⁵

NEW THREATS INCREASE MILITARY REQUIREMENTS

The bombings of the Murrah Federal Office Building, Khobar Towers, and the United States Embassies in Kenya and Tanzania have contributed to a new threat environment, which may require more funding for military resources. Moreover, threats like these have led the Defense Department leadership to initiate development of a new military strategy for protection of the nation.⁴⁶ The pivotal element driving the new strategy is the requirement that the military embrace uncertainty. The need for the military to develop a new strategy and to react to a

variety of threats was reinforced following the attacks by al-Qaeda against the United States on September 11, 2001:

The attack on the United States and the war that has been visited upon us highlights a fundamental condition of our circumstances: we cannot and will not know precisely where and when America's interests will be threatened, when America will come under attack, or when Americans might die as the result of aggression. We can be clear about trends, but uncertain about events. We can identify threats, but cannot know when or where America or its friends will be attacked. We should try mightily to avoid surprise, but we must also learn to expect it. We must constantly strive to get better intelligence, but we must also remember that there will always be gaps in our intelligence. Adapting to surprise - adapting quickly and decisively - must therefore be a condition of planning.

A central objective of the review was to shift the basis of defense planning from a "threat-based" model that has dominated thinking in the past to a "capabilities-based" model for the future. This capabilities-based model focuses more on how an adversary might fight rather than specifically whom the adversary might be or where a war might occur. It recognizes that it is not enough to plan for large conventional wars in distant theaters. Instead, the United States must identify the capabilities required to deter and defeat adversaries who will rely on surprise, deception, and asymmetric warfare to achieve their objectives⁴⁷

The declaration above, which was identified in the Quadrennial Defense Review is critical because it establishes the foundation for the shift in warfare planning and the need to have both conventional and non-conventional weapon systems. As al-Qaeda demonstrated, combat is no longer limited to nation against nation in some well-defined theatre of war. Instead of national armed forces, the United States military may have to have battle ideological groups who can execute attacks against the United States and its allies using common household or commercially available items to inflict the same devastation as a 2000-pound bomb. The delivery mechanisms can be as simple as a box cutter or a Ryder Rent-A-Truck or a missile cleverly disguised as a commercial aircraft. Employing conventional forces of bombers, heavy land masses, etc against non-conventional threats such as non-States and terrorist is not the optimal solution, in fact, in some cases it will not be an alternative at all.

To win future wars, the United States military must transform its tactics and weapon systems to operate within this new reality.⁴⁸ Congress must also consider these new requirements for the Armed Forces and, where appropriate, provide the requisite funding. In fact, to address this emerging requirement Congress has already increased appropriations to the Defense Department.⁴⁹ Deterring and defeating these new types of threats are vital to the

security of the homeland.⁵⁰ Nonetheless, the military requirements to meet these challenges must be tempered with economic realities.

WILL TRANSFORMATION FURTHER COMPLICATE CONGRESSIONAL MILITARY RELATIONS?

The need for the military to transform itself in response to the new threat environment does not necessarily mean a greater need for additional funding for weapon systems. Notwithstanding, the political, technological and economic realities in which we find ourselves dictate that fundamental changes be made to the military mindset.⁵¹ Such changes heighten the requirement for Congress to better understand the complexities and dynamics of modern warfare. This may also require the need for the Defense Department to have greater discretionary authority to change Congressional funding decisions. Moreover, to meet the demands of modern warfare, the Defense Department requires greater flexibility to alter 'the my Service comes first' syndrome that sometimes results in unnecessary duplicative funding requirements for military resources.

It is important to remember that members of Congress must be responsive to the majority of their constituents. Consequently, Defense Department needs to change resources decisions choices approved by Congress can be problematic when they have direct impact in a members district. This point was clearly demonstrated during the events surrounding the Army Crusader program and accordingly has come to "exemplify how hard it is to kill a major weapons program once it has gained support in Congress."⁵² The problems commenced when the Defense Department and the Army leadership decided to cancel the next generation 11 billion dollar artillery gun.⁵³ Michael Wynne, Principal Deputy Undersecretary of Defense for Acquisition, Technology and Logistics, indicated the reason for canceling the Crusader was to accelerate the Army's transformation by investing in other technologies.⁵⁴ However, the decision to end the Crusader program did not fare well with some members of Congress. The Senate Committee on Armed Services chaired by Michigan Democrat Carl Levin announced that that the Congressional leadership would hold hearings on the plans to terminate Crusader and was inviting Army Chief of Staff General Erich Shinseki and Secretary Rumsfeld to testify.⁵⁵ This move should have been expected because "Levin's home state plays host to General Dynamics Land Systems, one of the main contractors who would be hurt by the cancellation of Crusader."⁵⁶ Republican J.C. Watts, whose home state of Oklahoma is the location of the prime contractor called the cancellation "unilateral and misguided" and declared that "regardless of the

latest fad within DoD, Congress will work its will and address these needs.⁵⁷ Furthermore, Watts told *Reuters* “he would fight the cancellation every step of the way.”⁵⁸

Without a doubt the leadership within the respective Services desire to do what it is the best interest in the country.⁵⁹ Even so, the current military structure induces its leadership to preserve their respective Service interests.⁶⁰ “One’s Armed Service exerts a professional emotional, and fanatical hold over its members. Professional staff members who prepare legislation for members of the Armed Services Committee point out that the military establishment is not a monolith speaking with one voice.”⁶¹ In an interview for this research, Dr. Richard Kohn, Professor and Chair, Curriculum in Peace, War, and Defense at the University of North Carolina also addressed this problem:

Roles and missions within the Armed Forces overlap and hence produce inefficiency. Consequently, these mission overlaps coupled with limited resources restricts the ability of the military leadership to think outside the box because they must protect their respective branch. Accordingly, the military leadership is not necessarily motivated to identify ways to reduce funding requirements especially if their respective Service may suffer adverse effects.⁶²

Failure of the Services to make concerted efforts to address this issue will likely cause Congress to further scrutinize budgets for military resources, especially when funding requests include transformation requirements.

HOW ARE REQUESTS FOR MILITARY RESOURCES TRANSMITTED TO CONGRESS?

The Planning, Programming and Budgeting System (PPBS) is a critical tool used by the Defense Department and military to assist Congress with making the budgetary decisions for the acquisition of weapon systems.⁶³ The PPBS is an essential element of the defense resource allocation process. During the PPBS process the “Secretary of Defense make choices for providing operational commanders with the best mix of forces, equipment within fiscal constraints.”⁶⁴ When the PPBS process is concluded, the Secretary’s choices are translated into budgetary requirements.⁶⁵ Although there are typically three phases of the PPBS, it should be noted that the current Bush Administration has opted to combine the budget and programming phase.⁶⁶ However, for the purposes of this paper each phase will be discussed.

Planning is the first phase in the PPBS and is accomplished about three years in advance of the fiscal year in which budget authority will be requested.⁶⁷ This means for instance that since the fiscal year (FY) 05 budget request must be submitted in FY04, the planning to support the budgetary decisions commenced in FY02. “The Under Secretary of Defense (Policy) is the

lead for this phase with the participation of the Chairman of the Joint Chief of Staff, the Services, the Joint Staff, the Combatant Commanders, and other Government agencies such as the Department of State, the Central Intelligence Agency, etc.⁶⁸ During the planning phase, the objective is to (1) identify threats to the nations' security, (2) assess military capabilities to meet the threats and (3) recommend the forces required to defeat them.⁶⁹ The planning phase concludes with the Defense Planning Guidance (DPG) from the Secretary of The Defense. "It provides the Secretary of Defense's threat assessment, policy, strategy, force planning, and resource planning guidance within broad fiscal constraints to all Department of Defense (DoD) organizations."⁷⁰ Further, the "DPG serves as the link between the planning and programming phases of the PPBS."⁷¹

The purpose of the programming phase is for the Service and the Office of Secretary of Defense (OSD) to allocate resources to support the Department of the Navy, Marines, Army and Air Forces roles and missions.⁷² During the programming phase each DoD component prepares a Program Objective Memorandum (POM), which identifies a six year funding plan to accomplish the overall program goals and milestones established during the planning phase.⁷³ After each DoD component sends its POM to OSD, they will subsequently be tasked to meet with OSD and defend their programs. OSD is responsible for reviewing the Component POMs to ensure that they meet the established goals.⁷⁴ OSD subsequently consolidates the POMs to form an overall six year plan, referred to as the Future Years Defense Plan (FYDP).⁷⁵ The FYDP is the basic DoD programming tool to establish the targets for the programming and budgeting decisions for each fiscal year in the cycle.⁷⁶

The purpose of the budgeting phase, which is the responsibility of the DoD Comptroller, is "to develop an executable proposal that will best accomplish the Services approved programs."⁷⁷ Execution issues that are addressed include but are not limited to the refinement of costs, the ability of programs to efficiently expend funds in the year they are provided, and the impacts of program schedule slips.⁷⁸ By late fall, a validated budget is forwarded to the Office of the Management and Budget (OMB).⁷⁹ OMB examiners and management analysts review and identify issues. This phase is concluded with a transition of a detailed defense budget from the Secretary of Defense to the President.⁸⁰ Subsequently, the President "submits to Congress the defense budget request, along with the request for the rest of the federal budget, typically around February 1, or about nine months ahead of the fiscal year it would fund."⁸¹ The DoD portion of the President's Budget is the end product of the PPBS process. The President's Budget request will be closely scrutinized because it serves as the basis for defense-related

legislation.⁸² Accordingly, Congress reviews the funding request, makes modifications as it deems necessary, and eventually passes a budget for the coming fiscal year.⁸³

FUTURE YEARS DEFENSE PROGRAM (FYDP) AND OTHER BUDGET EXHIBITS

“In response to a 1987 statutory requirement, Congressional oversight committees and the Congressional Budget Office receive a special publication of the Future Years Defense Program (FYDP), including procurement and Research Development Test and Evaluation (RDT&E) annexes.”⁸⁴ The FYDP, which is an internal DoD working document, is essentially a computerized database that summarizes all military forces, resources, and equipment associated with the defense programs approved the Secretary of Defense for the prior year, current year, biennial budget years and the following four years.⁸⁵ Consequently, the FYDP is the heart of the PPBS.⁸⁶ During the PPBS cycle, the FYDP is updated every two years: “first in August to reflect the Service combined POM and Budget Estimate Submission, and secondly in January to reflect the President’s budget submission.”⁸⁷

Although the FYDP significantly assists Congress, the military leadership must provide other data as well. To support the budget request, immediately following the transmission of the President’s budget, the Services submit several budget exhibits to Congressional defense oversight committees.⁸⁸ An example of an exhibit provided to the Congressional subcommittees is the breakout by program element of all RDT&E appropriations. A program element is “the primary data element in the FYDP and normally the smallest aggregation of resources controlled by OSD.”⁸⁹ Other exhibits include mission descriptions and justification, program accomplishments and plans, eight-year funding profiles, program cost by work breakdown structure, unit costs, quantities and dollars for the prior, current and budget year(s).⁹⁰

CONGRESSIONAL LEGISLATIVE LIAISON OFFICES

AFI 90-401 states “The Air Force policy is to cooperate fully with Congress and to give a full and timely response to Congressional inquiries.”⁹¹ It is safe to assume that this policy is shared by all of the Services. Congress addresses military resources and readiness issues through Congressional hearings and inquiries. A means used by the Services (as well as the Defense Department) to address Congress’s inquires is the Legislative Liaison Office. Likewise, the Liaison Offices also serve as a very effective tool for the military to garner support for programs and resources from Congressional members. Although each Service (including the National Guard in every State) has different approaches for working with Congress, the responsibilities of the Legislative Liaison Offices are essentially identical. For instance, the

Army Office of the Chief, Legislative Liaison (AOCLL) provides Army liaison services to the entire Congress, with the exception of the Appropriations and Civil Works committees. AOCLL responsibilities include:

- Formulating, coordinating and supervising policies and programs that impact upon the Army's relations with Congress.
- Providing liaison between the Army and committees of Congress (excepting Appropriations, Civil Works and Printing).
- Advising on the status of congressional affairs that affect the Army and on legislative aspects of Army policies, plans and programs.
- Providing prompt, coordinated, consistent and factual information to inquiries received from members, or for congressional reports on legislative and investigative actions of interest to Army witnesses who are called to appear before legislative or investigative committees.⁹²

Within the Air Force, the responsibilities comparable to AOCLL reside at the Office of the Secretary of the Air Force in the Air Force Office of Legislative Liaison (SAF/LL). SAF/LL roles also include preparing witnesses for Congressional hearings, supervising Congressional travel arrangements, and where appropriate, recommending remedial actions on inquiries reflecting criticism of Air Force Policy.⁹³ The Assistant Secretary of Defense for Legislative Affairs (ASD/LA) has responsibilities similar to the Services liaison offices.⁹⁴ Additionally, ASD(LA) coordinates DoD's legislative program, arranges for witnesses and testimony at Congressional hearings and inquiries, and supports travel and security clearances for members of Congressional staffs.⁹⁵

The California Guard Office of Policy and Liaison demonstrates just how effective the liaison function can be. In an interview for this research, LTC Dave Baldwin, Deputy Director, Policy and Liaison for the California National Guard stated "Our strategy is constructed based on the concept that the members of Congress change and consequently so do the priorities of its leadership."⁹⁶ His organization has carefully refined and fine-tuned a long-standing plan, which they proudly claim is the key to their success with Congress.⁹⁷ Their strategy

commences each year with the development of a legislative agenda that is approved and published by their state Adjutant General. Their legislative agenda describes specific funding and/or policy changes required from Congress.⁹⁸

Upon approval of their legislative agenda, they ensure their readiness by learning everything they can about the members of the Congressional committee responsible for appropriations and policy.⁹⁹ This includes (1) researching any non-defense issues that are important to Congress and its constituents, (2) examining their historical voting record and (3) understanding the member's special interests.¹⁰⁰ Moreover, with a passion they develop and foster standing relationships with the staffers.¹⁰¹ The members of Office of Policy and Liaison specifically target and petition those members of Congress who either have the power to push through the requisite legislation or who are opponents.¹⁰² Furthermore, they aggressively engage and solicit support from Industry and the other services.¹⁰³ This strategic approach is so vital to the California Guard's well being that they train officers from the time they become Captains, through the remainder of their career, how to respect the political climate and effectively work with Congress.¹⁰⁴

Just how effective is their strategy? Each year for the last ten consecutive years they have successfully reached their resource objectives.¹⁰⁵ In May 2002, for instance, the California National Guard's 146th Airlift Wing, received the first of two C-130J Hercules tactical aircraft, which launched the Wings transition from the 40-year-old C-130E and marked the culmination of efforts by members of Congress.¹⁰⁶ Although the aircraft were not scheduled for delivery until 2012, through the efforts of the Office of Policy and Liaison and Congress, the California Guard obtained these critical assets 10 years earlier.¹⁰⁷

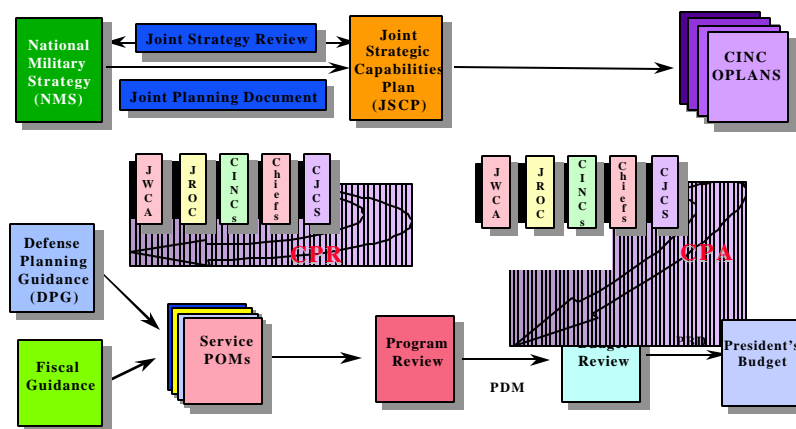
The Legislative Liaison Offices can be quite effective. However; the legislative liaison responsibilities do not necessarily include creating appropriation and budgeting policy.¹⁰⁸ They are predominately a conduit for interactions (i.e., inquiries, investigations, depositions, etc) between Congress and the individual Services. Furthermore, as evident by their functions, the legislative liaison offices are not intended to be a comprehensive forum for developing common Service wide measures to resolve the issues stated herein.

WHAT MORE CAN BE DONE TO IMPROVE THE RELATIONSHIP BETWEEN CONGRESS AND THE MILITARY IN PROVIDING THE RESOURCES REQUIRED FOR WAR?

THERE ARE THREE OVERARCHING PROBLEMS THAT SHOULD BE ADDRESSED TO IMPROVE THE RELATIONSHIP

The first problem lies with Congress not directly participating in preparing the documents that support the budgeting process such as the National Military Strategy, the DPG, POM, Joint Warfighting Capability Assessment (JWCA), Chairman Program Recommendations (CPR), and the Chairman Program Assessment (CPA), the Joint Strategic Capabilities Plan (JSCP), the Joint Planning Document. Consequently, Congressional members are often outside of the actual planning decisions that identify the reasons and options that led to specific military resource requirements and selections.

FIGURE 2 TOP LEVEL FUNDING PROCESS



The second problem is Congress has no standing representation in the National Security Council (NSC), which is one of the key organizations that legitimize the need for particular military resources.¹⁰⁹ The NSC is the President's principal forum for considering national security and foreign policy matters.¹¹⁰ It consists of senior national security advisors and cabinet officials.¹¹¹ This astute body, which includes the Chairman of the Joint Chiefs of Staff as the statutory military advisor, is where both deliberate and crisis action planning occur and

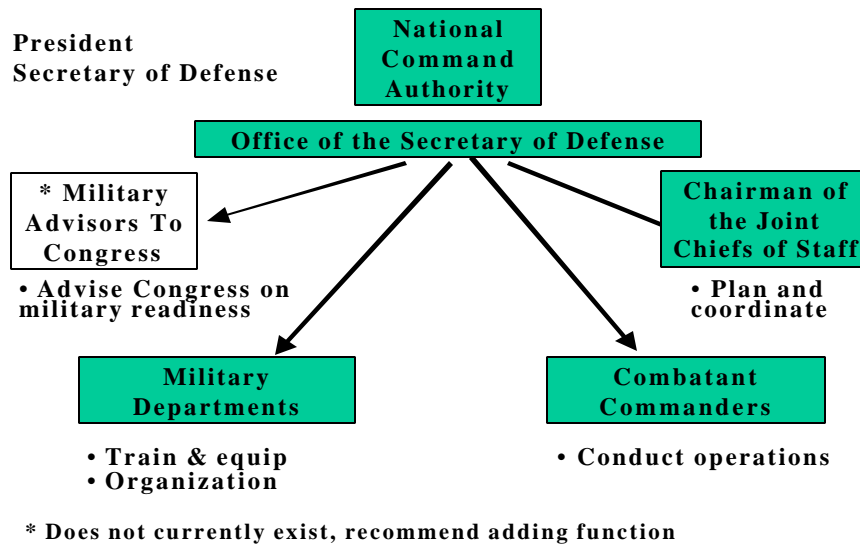
where military requirements are defined and/or fine-tuned.¹¹² The Council also serves as the President's principal arm for coordinating these policies among various government agencies.¹¹³

The third problem is that although the military is transforming itself to adapt to a new and emerging threat environment, current plans do not reflect Congress changing itself to better support the military. Many studies suggest that for military transformation to be truly effective Congress must review its own role.¹¹⁴ Leading transformation thinkers also argue that military transformation will be infeasible without close Congressional coordination.¹¹⁵ Moreover, the transformation thinkers describe the need for a new working arrangement between the Services and Congress including possible modifications to current budgetary oversight mechanisms.¹¹⁶

WHAT SHOULD BE DONE TO IMPROVE THE RELATIONSHIP BETWEEN CONGRESS AND THE MILITARY?

An approach for improving Congressional-military relations is for Congress to model its relationship with the Services in accordance with the processes in the NSC. Hence, Title 10 United States Code should be amended to designate two General Officers (4-STAR Level) to serve as the principal military advisors to the Senate and House Armed Services Committees respectively. The reasons for designating these two assemblies is that these Congressional committees are responsible for authorizing almost all funding for defense-related programs.¹¹⁷ To maximize the 'purple uniform concept' (i.e., military members not obligated to necessarily foster their respective Service position), the Generals would answer to the Secretary of Defense and not to the Combatant Commanders, the Service Secretaries, or the Chairman of the Joint Chiefs of Staff (see Figure 3). However, the Generals would be embedded advisors in both committees.

FIGURE 3 RECOMMENDED CHANGES TO THE MILITARY REPORTING STRUCTURE



It is equally important for a senior Congressional aides from the both the Senate and House Armed Services Committees to be statutorily designated to serve with the NSC. Their responsibilities would be limited to advising the NSC on Congress's view regarding defense related policy. In addition, their participation would allow Congress to have timely and better visibility into the planning that shapes military readiness requirements. Correspondingly, Congress would be able to more effectively address and provide the requisite military resources.

Directing the military to serve as advisors to Congress requires very strict adherence to civilian control of the military in order to avoid compromising the political process. One way to address this issue is by formally establishing and enacting civil-military norms. This topic was discussed with General Lester L. Lyles, Commander, Air Force Materiel Command, who consented to an interview for this research. During the interview General Lyles affirmed that the military leadership takes its responsibility in the national policy-making process seriously.¹¹⁸ He said "It is sometimes difficult for military professionals who have been groomed and trained to be leaders throughout their careers, to transition to an interagency policy-making environment where they are expected to be subservient."¹¹⁹ The General went on to say that there are times, however, when a few members of the military profession either abuse their power or go beyond the limits of authority when working with civilian leadership.¹²⁰ General Lyles felt the typical approach when addressing these issues is to focus on how the military should conform when working with civilians. He believes a better approach would be to develop a single set of

civil-military norms that describe how the civilian leadership should interact with the military and likewise how the military should interact with civilian leadership.¹²¹ He concluded with saying “A stricter definition for how both the military and civilian leadership should interact, and what constitutes unacceptable behavior, would serve the national policy making process.”¹²²

The need to establish commonly accepted civil-military norms in the national policy making process was also raised with Senator Susan Collins, a member of the Senate Armed Services Committee. Although Senator Collin’s schedule kept her from participating in a personal interview, she nonetheless provided a written response to a set of questions asked by the author. Her response is as follows:

I strongly believe that civilian leadership should treat the military with the highest levels of respect and courtesy. At the same time, it is crucial for civil-military relations that the control of civilian authorities over the military remains clear and explicit. Certainly, as civil-military relations have progressed over the years, norms regarding the interaction of civilian leadership with the military have informally developed. As a member of the Senate Armed Services Committee, I continually draw on the expertise and advice of senior military leadership. Certainly, I believe that delineating more explicit norms might be very helpful.¹²³

RULES FOR THE MILITARY TO WORK DIRECTLY AND ROUTINELY WITH CONGRESS

To enable the military to directly and routinely advise Congress there must be unambiguous rules for the military leaders to participate as advisors on these committees. Dr. Marybeth Ulrich, a Professor at the United States Army War College, has developed civil-military norms that can serve as the basis to address this issue.¹²⁴ Her proposed civil-military norm on this subject reads as follows

The military profession's first obligation is to do no harm to the state's democratic institution and the democratic policy-making process that they establish. The military leadership should apply its expertise without “shirking” or taking actions that, in effect, have a determinative effect on policy outcomes. Military professions must develop a clear sense of distinction between national security competency and the responsibility to exercise competency through distinct roles in the national policy-making process.¹²⁵

However, the main objective of Dr. Ulrich’s proposed civil-military norm is to predominately provide guidance on how the Officers Corp should conform to better work with its civilian leadership.¹²⁶ Therefore, while her norms provide a good starting point, for the purposes of this research they require tailoring to (a) better address the issues raised in this paper and (b) create a single set of civil-military norms that include both how the military should interact with

the civilian leadership and how civilians should interact with the military leaders in national policy-making organizations. Therefore, recommend the following changes be made to Ulrich's proposed civil-military norm and that it be legislated by Congress:

Military professionals must always keep in the forefront of their planning that civilian control over the military is the supreme tenet of the nation's democratic values. Accordingly, the military profession's first obligation is to not harm either the nation's democratic institutions nor its national policy making processes. The military leadership participating in political forums are obliged to fully understand and respect the national policy making process. The military leadership is expected to insert their expertise without compromising and/or interfering with Congressional members' or any other political leaders' responsibilities to the nation. Moreover, the military leadership must not take actions that, in effect, determine or force a specific national security policy position. Conversely, the political leadership must not shirk their (1) responsibilities to fully understand and to respect military issues or (2) constitutional obligation to ensure that the military leadership (and the profession in general) does not determine or force a specific national security policy position. The military leadership must establish [through written policy, doctrine and collaborative training programs with its civilian leadership (elected and non elected)] an unequivocal understanding of their legislative responsibilities and boundaries to provide warfighting expertise in an advisory capacity in the national policy-making process.

CONCLUSION

Congress must consider the resources the warfighters believe are necessary to conduct the military mission. However, members of Congress must address many other equally important requirements of their constituents and therefore, cannot necessarily fund all the resources identified by the military. Consequently, Congress's non-military priorities to their constituents necessarily constrain the warfighters' readiness strategy. The need for the warfighter to transform creates an opportunity for both Congress and the military to jointly improve the budgeting process for military resources. The recommendations of this Strategy Research Project will greatly improve a key relationship in United States political-military affairs—that between Congress and the military in providing the resources required for war.

//WORD COUNT: 6,163//

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